

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Examine the
Commission's Future Energy Efficiency Policies,
Administration, and Programs.

Rulemaking 01-08-028
(Filed August 23, 2001)

**ASSIGNED COMMISSIONER'S RULING
REQUESTING INFORMATION IN RESPONSE TO THE
GOVERNOR'S EXECUTIVE ORDER S-20-04**

Summary

This Assigned Commissioner's Ruling ("ACR") is in response to Governor Schwarzenegger's Green Building Executive Order ("Green Buildings Executive Order" or "Executive Order"), issued on December 15, 2004. In Ordering Paragraph 4, the Governor urged the California Public Utilities Commission ("CPUC") to apply its energy efficiency authority to support a campaign to inform building owners and operators about the compelling economic benefits of energy efficiency measures; improve commercial building efficiency programs to help achieve the 20% goal. I am issuing this ACR in order to gather information on how energy efficiency programs that are currently authorized and funded in the 2004-2005 cycle can be utilized to accomplish the goals outlined in the Executive Order, and to seek comments on how the CPUC should modify subsequent program design and funding to implement the Governor's Order. I am specifically requesting information and how an outreach campaign and programs to the commercial sector might be implemented immediately and further developed for future funding cycles. This information gathered in response to this ACR will be used in a report to the Governor as requested in the Executive Order.

Background

On December 15, 2004, Governor Schwarzenegger signed the Green Buildings Executive Order. In general, the Green Buildings Executive Order¹ required increased

¹ For the complete Executive Order,
[http://www.governor.ca.gov/state/govsite/gov_htmldisplay.jsp?sFilePath=/govsite/executive_or
ders/20041214_S-20-](http://www.governor.ca.gov/state/govsite/gov_htmldisplay.jsp?sFilePath=/govsite/executive_orders/20041214_S-20-)

investments in energy efficiency for state-owned buildings and encouraged cities, counties and private businesses to reduce their energy use. Governor Schwarzenegger stated a goal of reducing electricity used in existing government and private commercial buildings by 10% per square foot by 2010 and 20% per square foot by 2015. He also mandated that all new and renovated buildings paid for with state funds be certified as Leadership in Energy and Environmental Design (“LEED”) Silver standard or higher, and that office spaces and office equipment leased or purchased by the state be ENERGY STAR-qualified where cost-effective.

In particular, ordering paragraph 4 of the Green Buildings Executive Order stated,

“That the California Public Utilities Commission is urged to apply its energy efficiency authority to support a campaign to inform building owners and operators about the compelling economic benefits of energy efficiency measures; improve commercial building efficiency programs to help achieve the 20% goal; and submit a biennial report to the Governor commencing in September 2005, on progress toward meeting these goals.”

Proposed Actions

In order to implement the Governor’s Green Building Executive Order and the goals of the Energy Action Plan, I request that all Investor Owned Utilities (“IOUs”), non-utility implementers of energy efficiency programs involved in the commercial buildings sector, building owners and operators of the commercial building sector and other interested parties submit comments to the Commission by **February 4, 2005**. Specifically, responses should answer the following questions, and include definitions for “government” and “private commercial” and customer type:

- (1) How much electricity and natural gas is currently used by government and private commercial buildings in your service territory?
- (2) What level of energy savings (kWh, MW and therm) was captured in 2004 from currently approved energy efficiency programs targeted towards building efficiency for government and private commercial buildings? What other customer types are currently eligible for existing building efficiency

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programs, and how much savings have been captured by these customers by participating in ratepayer-funded energy efficiency programs in 2004.

- (3) What level of savings is anticipated to be captured by these programs in 2005? In addition to presenting the expected kWh, MW and therm savings levels, present estimates of reduced per square footage electricity usage relative to 2004 usage, so that it can be compared directly to the Governor's goals of achieving a reduction of 10% per square foot by 2010 and 20% per square foot by 2015.
- (4) How are current programs supporting a campaign to inform building owners and operators about the compelling economic benefits of energy efficiency measures? Should a single, statewide campaign be initiated for this purpose? How might authorized funds for the 2004-2005 program year be redirected to support such an effort?
- (5) How much money is currently allocated to supporting programs to inform building owners and operators about the compelling economic benefits of energy efficiency measures and to improve commercial building efficiency? Present a breakdown of this funding information by individual programs and IOU service territory.
- (6) Describe how these programs are currently coordinated and how such coordination could be improved upon in the future.
- (7) How might CPUC-funded energy efficiency programs be modified or enhanced to help achieve the reductions in per square footage electricity use for commercial buildings, as directed in the Green Buildings Executive Order?
- (8) What funding reallocations could be undertaken during 2005 to further facilitate meeting this goal? What level of additional funding in future years for commercial building efficiency programs do you estimate would be required to meet this goal?

Respondents may also submit additional information that they believe is relevant for the Commission's response to paragraph 4 of the Green Buildings Executive Order.

IT IS RULED that all Investor Owned Utilities, non-utility implementers of energy efficiency programs involved in the commercial buildings sector, building owners and operators of the commercial building sector and interested parties should submit comments with the Commission by **February 4, 2005** to the questions posed above in order to implement and further the goals articulated in the Governor's Green Buildings Executive Order. The electronic service protocols attached to the Assigned Commissioner's Ruling dated December 22, 2003, which can be viewed at the Commission website (www.cpuc.ca.gov) will apply to the comments requested by this ruling.

Dated December 29, 2004, at San Francisco, California.

/s/ Susan P. Kennedy

Susan P. Kennedy
Assigned Commissioner

CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail to the parties of which an electronic mail address has been provided; this day served a true copy of the original attached Assigned Commissioner’s Ruling of Commissioner Susan Kennedy on all parties of record for proceeding R.01-08-028 or their attorneys of record.

Dated December 29, 2004, at San Francisco, California.

/s/ Christopher V. Mei
Christopher V. Mei

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission’s policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.